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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,662	12/14/2001	Rory Ward	NETS0084	9762
22862	7590	02/09/2005	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			VU, THANH T	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/017,662	Applicant(s) WARD, RORY	
	Examiner Thanh T. Vu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

This communication is responsive to the Amendment, filed 07/08/2004.

Claims 1-64 are pending in this application. In the Amendment claim 16 was amended. This action is made Final.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 17 and 49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 17 and 49 recites the limitation "said merchant website" in line 3. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 9-10, 12-14, 16, 21-23, 25-27, 29-30, 33-35, 41-42, 44-46, 48, 53-55, 57-59, and 61-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanevsky (U.S. Pat. No. 6,300,947).

Per claim 1, Kanevsky teaches a method for changing user interaction with a website comprising the steps of:

parsing a website (col. 11, lines 1-12; col. 14, lines 58-67);  
noting elements on said website (col. 11, lines 1-12; col. 14, lines 58-67); and  
viewing said website through an overlay, said overlay containing overlay elements capable of interacting with said website elements and said overlay capable of adding and removing the appearance of website elements (fig. 1; web page adapter server 107; col. 7, lines 25-40; col. 9, lines 30-45; col. 15, lines 62-67).

Per claim 2, Kanevsky teaches a method for changing user interaction with a website comprising the steps of:

parsing a website with a parsing means (col. 11, lines 1-12; col. 14, lines 58-67);  
noting elements on said website with a noting means (col. 11, lines 1-12; col. 14, lines 58-67) and

viewing said website through an overlay means, said overlay means containing overlay elements capable of interacting with said website elements and said overlay means capable of adding and removing the appearance of website elements (fig. 1; web page adapter server 107; col. 7, lines 25-40; col. 9, lines 30-45; col. 15, lines 62-67).

Per claim 3, Kanevsky teaches the method of claim 1 wherein said website and overlay elements comprise any of: banner ads, advertisements, adult material, buttons, checkboxes, sidebars and user chosen elements (col. 7, lines 1-8; col. 11, lines 1-12).

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Per claim 9, Kanevsky teaches the method of Claim 1, wherein said overlay uses global objects comprising any of: region, pen and ruleinfo (col. 11, lines 1-24; col. 14, lines 4-14).

Per claim 10, Kanevsky teaches the method of Claim 9 wherein said region object provides access to HTML captured during a rule evaluation (fig. 6; col. 9, line 47- col. 10, line 4; col. 11, lines 1-24).

Per claim 12, Kanevsky teaches the method of Claim 9 wherein said ruleinfo object provides information about a rule (fig. 6; col. 9, line 47- col. 10, line 4; col. 11, lines 1-24).

Per claim 13, Kanevsky teaches the method of Claim 12, wherein said rule information comprises any of: URL triggers and debugging levels (col. 9, lines 46-63).

Per claim 14, Kanevsky teaches the method of Claim 1, wherein said overlay is a proxy platform website that serves as an intermediate website site between a user and a destination website, said intermediate website communicating information between said destination website and said user (fig. 1; web page adaptor server 107; col. 7, lines 25-40).

Per claim 16, Kanevsky teaches the method of Claim 14, said overlay contains elements that interact with said destination website (fig. 1, 3, 8-9; col. 7, line 25-30; col. 11, lines 1-12).

Per claim 21, Kanevsky teaches the method of Claim 1, wherein said overlay rearranges said website elements such that appearance of the website has altered dimensions (fig. 7 and 10).

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Per claim 22, Kanevsky teaches the method of Claim 1, wherein said overlay is created using a profile (col. 11, lines 42-63).

Per claim 23, Kanevsky teaches the method of Claim 1, wherein said profile comprises any of: layout information of articles on said website and rules for the arrangement of said articles (col. 11, lines 42-63).

Per claim 25, Kanevsky teaches the method of Claim 1, further comprising the step of: testing whether said website has changed (col. 12, lines 56-67).

Per claim 26, Kanevsky teaches the method of Claim 25, further comprising the step of: changing said overlay to properly function with said changes on said website (col. 12, lines 56-67).

Per claim 27, Kanevsky teaches the method of Claim 25, further comprising the step of: signaling when said website has changed (col. 12, lines 56-67).

Per claim 29, Kanevsky teaches the method of Claim 1, wherein said elements are constructed using any of: HTML, Java and Javascript (col. 8, lines 16-23).

Per claim 30, Kanevsky teaches the method of Claim 1, wherein said noting comprises any of: cataloging said web page by region and mapping fields (col. 11, lines 1-23; col. 14, lines 4-14).

Claims 33-35 are rejected under the same rationale as claims 1-3 respectively.

Claims 41-42 are rejected under the same rationale as claims 9-10 respectively.

Claims 44-46 are rejected under the same rationale as claims 12-14 respectively.

Claim 48 is rejected under the same rationale as claim 16.

Claims 53-55 are rejected under the same rationale as claims 21-23 respectively.

Claims 57-59 are rejected under the same rationale as claims 25-27 respectively.

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Claims 61-62 are rejected under the same rationale as claims 29-30 respectively.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 15, 17-20, 31-32, 36, 47-52, and 63-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky (U.S. Pat. No. 6,300,947) in view of Armes (Pub. No. US2001/0034720).

Per claim 4, Kanevsky teaches the method of Claim 1, but does not specifically teach said overlay is accessed through any of: an Internet service provider logon and a website logon process. However, Armes teaches said overlay is accessed through any of: an Internet service provider logon and a website logon process (fig. 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Armes in the invention of Kanevsky in order to provide users a secured access to a website.

Claim 36 is rejected under the same rationale as claim 4.

Per claim 15, Kanevsky teaches the method of Claim 14, but does not teach said destination website is a merchant website. However, Armes teaches said destination website is a merchant website (figs. 5-7). Therefore, it would have been obvious to one

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of ordinary skill in the art at the time of the invention to include the teaching of Armes in the invention of Kanevsky in order to provide users with online shopping.

Per claim 17, Armes teaches the method of Claim 16, but does not teach said overlay element is a checkout button that when actuated, queries user purchase information from a remote website, and relays said user purchase information to said merchant website. However, Armes teaches said overlay element is a checkout button that when actuated, queries user purchase information from a remote website, and relays said user purchase information to said merchant website (fig. 7; button 150; Page 10, [0081]; page 11, [0084]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Armes in the invention of Kanevsky in order to provide users with online shopping.

Per claim 18, Armes teaches the method of Claim 17, wherein said remote location has a memory means containing purchase information (fig. 3 and 4; fig. 10, STN database 6).

Per claim 19, Armes teaches the method of Claim 18, wherein said purchase information comprises any of: name, date, address and credit card information (figs. 5-7).

Per claim 20, Armes teaches the method of Claim 17, wherein said purchase information form fills fields on said merchant website (figs. 5-7).

Claims 47, 49-52 are rejected under the same rationale as claim 15, 17-20.

Per claim 31, Kanevsky teaches the method of Claim 1 further comprising the steps of: relaying information between said website and said overlay (fig. 1; col. 7, lines



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25-40), but does not teach the information is cyber wallet information. However, Armes teaches the information is cyber wallet information (fig. 5-7). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Armes in the invention of Kanevsky in order to provide users with a secured and convenient transaction for online shopping.

Per claim 32, Armes teaches the method of Claim 31, wherein said cyber wallet information is maintained at both said overlay and said website, and if said cyber wallet information is changed at either site, the unchanged site is updated with said changes (fig. 7; page 9, [0073]).

Claims 63-64 are rejected under the same rationale as claims 31-32.

Claims 5-8, 11, 37-40, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky (U.S. Pat. No. 6,300,947) in view of Katinsky et al ("Katinsky", U.S. Pat. No. 6,452,609).

Per claim 5, Kanevsky teaches the method of Claim 1, but does not specifically teach said website elements are constructed using JavaScript. However, Katinsky teaches said website elements are constructed using JavaScript (col. 4, lines 20-25; col. 12, lines 32-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Katinsky in the invention of Kanevsky in order to provide added functionalities on a website using JavaScript.

Per claim 6, Kanevsky teaches the method of Claim 5, further comprising the steps of: examining all JavaScript elements on said website and rewriting selected JavaScript elements on said website, onto said overlay, said rewritten JavaScript elements

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replacing website JavaScript elements (fig. 1; web page adapter server 107; col. 7, lines 25-40; col. 9, lines 30-45; col. 11, lines 1-12).

Per claim 7, Kanevsky teaches the method of Claim 6, wherein said selected JavaScript elements comprises any of: JavaScript element that cause overlay errors and JavaScript element that reduce overlay performance (col. 12, line 62- col. 13, line 3; col. 13, lines 26-65).

Per claim 8, Kanevsky teach the method of Claim 6, wherein said selected JavaScript element is chosen because said JavaScript element contains a specific tag or tag attribute (col. 10, lines 5-25).

Claims 37-40 are rejected under the same rationale as claim 5-8.

Per claim 11, Kanevsky teaches the method of Claim 9 wherein said pen object provides rules for inserting HTML in a region (col. 9, lines 35-45; col. 9, lines 47-63; col. 10, lines 5-25), but does not teach said pen object provides JavaScript rules (col. 4, lines 20-25; col. 12, lines 32-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Katinsky in the invention of Kanevsky in order to provide added functionalities on a website using JavaScript.

Claim 43 is rejected under the same rationale as claim 11.

Claims 24, 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky (U.S. Pat. No. 6,300,947) in view of Kanojia et al ("Kanojia", U.S. Pat. No. 6,714,992).

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Per claim 24, Kanevsky the method of Claim 22, but does not teach said profile is kept in an XML text file. However, Kanojia teaches said profile is kept in an XML text file (col. 16, lines 40-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Kanojia in the invention of Kanevsky in order to provide greater flexibility in organizing and presenting information.

Claim 56 is rejected under the same rationale as claim 24.

Claims 28, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky (U.S. Pat. No. 6,300,947) in view of Strahorn et al ("Strahorn", U.S. Pat. No. 5,933,140).

Per claim 28, Kanevsky teaches method of Claim 3, but does not teach said sidebar is a help bar. However, Strahorn teaches said sidebar is a help bar (fig. 3; help bar 310). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Strahorn in the invention of Kanevsky in order to provide users a context based help in a WWW environment.

Claim 60 is rejected under the same rationale as claim 28.

### ***Response to Arguments***

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that Kanevsky does not teach "viewing said website through an overlay, said overlay containing overlay elements capable of

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interacting with said website elements and said overlay capable of adding and removing the appearance of website elements". The examiner does not agree because Kanevsky teaches viewing said website through an overlay, said overlay containing overlay elements capable of interacting with said website elements and said overlay capable of adding and removing the appearance of website elements (fig. 1; an overlay: web page adapter server 107; overlay elements: see item 207 of fig. 3, item 801, 802, 804 or 805 of fig. 8; See col. 7, lines 25-40; col. 9, lines 30-45; col. 11, lines 1-12; col. 14, lines 1-14 and lines 58-67; col. 15, lines 62-67).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Inquiries***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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